



First Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 09/28/17

All corrections/supplements addressing these notes should be filed by 09/21/17. Later-filed documents might not be reviewed prior to the hearing and could result in a continuance of your case. Updates to these notes *typically* will be posted three court days prior to the hearing.

Destruction of Filed Documents:

Shredding/destruction of all court documents filed and imaged before January 2011 will begin soon. All filed/imaged documents are shredded one year after filing pursuant to court policy. Any filed original documents not retrieved timely will be permanently lost. (Wills and codicils lodged into the will vault will not be affected.)

Contacting the Probate Examiners:

Probate Examiners' email address: ProbateNotes@sb-court.org

Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. *Please do not email to notify that documents have been filed, to request a confirmation whether documents have been received, or to request the clearing of notes.* No legal or procedural advice may be given by examiners in response to your email.

08/30lc

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PROBATE

DATE: 09/28/17 TIME: 8:30 DEPT: S35P

CASE#: PRO DS1100010

CASE NAME: IGOR GRIGORIEV

HEARING:

Petition for payment of atty fees to court appointed
guardian ad litem for minor

COUNSEL:

DENNIS M ASSURAS

(PET)...DENNIS M ASSURAS

IGOR GRIGORIEV

(DEC)...

KIMIA GRIGORIEV

(PET)...DENNIS M. ASSURAS

SAN BERNARDINO COUNTY PUBLIC A (PET)...CRAIG M PARKER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition For Attorney Fees by Mitchell Roth.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner, Mitchell Roth, was appointed GAL for minor Darya on 02/15/11.
2. Petitioner requests fees of \$4,940 for 49.4 hours at \$100 per hour [reduced from \$375]. Itemized [Pet. 07/07 LFPg6-21].
3. ~Proposed Order: 07/07/17

RECOMMENDATION

Court's discretion.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/28/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500133

CASE NAME: Howard Shannon Howell

HEARING:
Hearing re Final Discharge

COUNSEL:
HOWARD SHANNON HOWELL (DEC)...
JUSTIN T. HOWELL (PET)...PECCORINI & PECCORINI

XREF: GARSS1500163 (Ethan Howell)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Final account/distribution of Justin Howell, son, approved on 09/22/16.
2. Need receipt for Capital One and American Medical Response.
3. Need Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of receipts and order.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/28/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500392

CASE NAME: MARIA E MARTEL

HEARING:
Hearing re Final Discharge

COUNSEL:
HERMAN MARTEL (PET)...TATIANNA
MARIA E MARTEL (DEC)...

GENERAL INFORMATION

Continued from 03/23/17. No appearance. Final Distribution order vacated. Need to specify exact assets and account numbers on hand.

OSC set on 05/04/17 when there were no appearances or notes cleared.

Continued from 06/22/17. OSC dismissed.

Continued from 08/03/17.

THIS CASE SET FOR HEARING ON Final Discharge.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Final account/distribution of Herman Martel approved on 04/05/16.
2. Receipts filed.
3. Need Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of discharge order.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/28/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600243

CASE NAME: LIDIA CERIAN

HEARING:
Accounting Review

	COUNSEL:
DANIEL CERIAN	(PET)...PRO/PER
ION CEREAN	(PET)...PRO/PER
LIDIA CERIAN	(DEC)...

GENERAL INFORMATION

OSC set when there were no appearances on 02/02/17, 03/30/17 or 05/11/17. Telephonic continuance requested at last hearing. Daniel and Ion Cerean ordered to appear.

Continued from 06/15/17. OSC taken off calendar. Daniel and Ion Cerean to appear. Accounting to be filed by 08/28/17.

THIS CASE SET FOR HEARING ON Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of Administration issued to Daniel and Ion Cerean, sons, on 06/30/16, full authority no bond.
2. Accounting/status was filed 06/22/16; prior to petitioner's appointment which was premature.
3. Final Inventory and Appraisal filed 08/28/17.
4. Need accounting or status report.

RECOMMENDATION

Need to clear note 4. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/28/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600881

CASE NAME: THE JOHN RODRIGUES, JR. TRUST

HEARING:
Accounting Review

COUNSEL:

ALAN ALVES	(PET)...SLATER HERSEY & LIEBERMAN LLP
DOLORES PIMENTEL	(PET)...SLATER HERSEY & LIEBERMAN LLP
HERCULANO ALVES	(PET)...SLATER HERSEY & LIEBERMAN LLP
JOHN ALVES	(RES)...LAW OFFICES OF DOONAN & DOONAN
JOSEPH SIMAS	(PET)...SLATER HERSEY & LIEBERMAN LLP

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter set on 06/29/17 when Trustee John Alves was ordered to file an accounting by 08/25/17.
2. Need accounting.

RECOMMENDATION

Inquire status of accounting.

(lc)

Future Hearing: 05/31/18 Readiness calendar

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/28/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700492

CASE NAME: MINTA IRENE THORNESS

HEARING: Petition for LETTERS OF ADMINISTRATION WITH FULL AIAE

COUNSEL:

ADVANCE INHERITANCE LLC (TP)...JAMES L LEESTMA
GARRET THORNESS (PET)...PRO/PER
MINTA IRENE THORNESS (DEC)...

GENERAL INFORMATION

Continued from 08/10/17

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by Garret Thorness, son

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All heirs waive bond. The estate consists of \$257,000 of which \$1,000 is personal property. **Court to see note 2.**
2. Section 5 of the petition states that there is a domestic partner but one is not listed in section 8. Court may wish to clarify on record or in alternative, need verified supplement. If there is a domestic partner, then a bond waiver would be required of them.
3. Proofs of service for assignment of interest and request for special notice indicate notice sent to Mark Mokterian, Esq. Court to clarify why notice was sent to counsel and not sent to petitioner as he does not appear to be represented by counsel. If so, need substitution of attorney.
4. Need Notice to Petition to Administer Estate and proof of service including to Advance Inheritance who requested special notice.
5. Need proof of publication
6. ~Proposed Form Order: 05/18/17

RECOMMENDATION

Need to clear notes 4 & 5. Court's discretion re bond and notes 2 & 3. If approved, set Accounting/Status Review for **12/06/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/cs)

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/28/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700661

CASE NAME: LOLA FAE BURGESS

HEARING:

Petition for PROBATE OF WILL AND FOR LETTERS TESTAMENTARY W/FULL
IAEA

COUNSEL:

LOLA FAE BURGESS (DEC)...
RONALD L BURGESS (PET)...CHRISTOPHER A SHUMATE

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA Ronald Burgess, son/executor

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond. Estate value consists of \$252,000 in personal property. The court may for good cause require that a bond be given, either before or after issuance of letters." (Prob. Code, § 8481(c).
2. Section 8 of Petition is incomplete. Need verified supplement to include Jonathan G. Burgess and Firsts Methodist Church, mentioned in decedent's Will, Section E and F (Petition, LF, p7 and 9).
3. Need Notice to Petition to Administer Estate and proof of service to Jonathan G. Burgess and Firsts Methodist Church.
4. ~Proposed Form Order: 07/07/17

RECOMMENDATION

Need to clear notes 2 and 3, Court's discretion re bond. If approved, set Accounting/Status Review for **12/06/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs)

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Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/28/17 TIME: 8:30 DEPT: S35P

CASE#: SPR SS06802

CASE NAME: EST OF MARY JANE WILSON

SEE ALSO 9, 10

HEARING: Hearing Re: TO DETERMINE TITLE AND FOR SURCHARGE, ETC.

COUNSEL:

MARY JANE WILSON	(DEC)...
PATRICIA J O'NEIL	(PET)...HARTNELL LAW GROUP
PATRICIA J O'NEIL	(SA)...KELLER & KELLER
RICHARD DONELLA	(TP)...PRO/PER

GENERAL INFORMATION

Continued from 02/16/17. Objections to be filed by 03/9/17. Matter is set contested with one week time estimate – 09/28/17. Counsel to exchange exhibits.

THIS CASE SET FOR HEARING ON Petition to Determine Title and for Surcharge by Patricia O'Neil, Successor Administrator CTA.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner, Patricia, is acting successor Administrator.
2. Petitioner seeks an order against Martin Keller, former counsel, transferring title and interest to property that reportedly belongs to the estate.
3. Petitioner seeks court recognize that Martin Keller is constructive trustee of the real property sale proceeds and allow petitioner to execute any and all documents necessary for transfer.
4. Petitioner seeks an order for damages finding that Martin Keller has wrongfully taken, concealed or disposed or property that is liable for twice the value of the property taken according to proof Pr.C. § 859. Only partial distribution of the estate funds has been made and records have not been fully forthcoming. The remaining funds have **not** been distributed to petitioner or Hartnell Law Group; \$377,895.36 was initial amount. Petitioner believes that the account is empty and petitioner has contacted the San Bernardino County Police Dept. to file a complaint for embezzlement.
5. Need proof of personal service per Pr.C. § 851.
6. ~Proposed Order: 12/05/16.

RECOMMENDATION

Need notice then set for evidentiary hearing.

(lc)

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - **no legal or procedural advice will be given.**

Future Hearing:

10/23/17 *Court Trial*

10/24/17 *Court Trial*

10/25/17 *Court Trial*

10/26/17 *Court Trial*

10/27/17 *Court Trial*

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - **no legal or procedural advice will be given.**

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/28/17 TIME: 8:30 DEPT: S35P

CASE#: SPR SS06802

CASE NAME: EST OF MARY JANE WILSON

SEE ALSO 8, 10

HEARING: Hearing Re: PROBATE STATUS REPORT FILED ON 12/1/16

COUNSEL:

MARY JANE WILSON	(DEC)...
PATRICIA J O'NEIL	(PET)...HARTNELL LAW GROUP
PATRICIA J O'NEIL	(SA)...KELLER & KELLER
RICHARD DONELLA	(TP)...PRO/PER
WILLIAM F O'NEIL	(PET)...MARTIN E KELLER

GENERAL INFORMATION

Continued from 02/16/17. Objections to be filed by 03/9/17. Matter is set contested with one week time estimate – 09/28/17. Counsel to exchange exhibits.

THIS CASE SET FOR HEARING ON Status Report by Patricia O'Neil; successor administrator.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of Successor Administration issued to Patricia O'Neil on 07/30/10.
2. Petitioner seeks an additional year to close the estate. Petitioner has finally received the file from prior Counsel Martin Keller. However, only partial distribution of the funds has been made and records have not been fully forthcoming. The remaining funds have **not** been distributed to petitioner or counsel; \$377,895.36 was initial amount. Petitioner believes that the account is empty and petitioner has contacted the San Bernardino County Police Dept. to file a complaint for embezzlement. There has been no known follow-up by police department to that complaint. Some of the beneficiaries have applied for relief from the California State Bar Client Security Fund. A petition for recovery of funds has been filed. See other matter.
3. ~Proposed Order: 12/01/16.

RECOMMENDATION

Court's discretion. If approved, set Accounting/Status Review for **02/22/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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Future Hearing:

10/23/17 *Court Trial*

10/24/17 **Court Trial**

10/25/17 *Court Trial*

10/26/17 **Court Trial**

10/27/17 *Court Trial*

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - **no legal or procedural advice will be given.**

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/28/17 TIME: 8:30 DEPT: S35P

CASE#: SPR SS06802

CASE NAME: EST OF MARY JANE WILSON

SEE ALSO 8, 9

HEARING:

Readiness Calendar

COUNSEL:

MARY JANE WILSON

(DEC)...

PATRICIA J O'NEIL

(PET)...HARTNELL LAW GROUP

PATRICIA J O'NEIL

(SA)...KELLER & KELLER

RICHARD DONELLA

(TP)...PRO/PER

WILLIAM F O'NEIL

(PET)...MARTIN E KELLER

Readiness – No notes – JTD

Future Hearing:

10/23/17 Court Trial

10/24/17 Court Trial

10/25/17 Court Trial

10/26/17 Court Trial

10/27/17 Court Trial

Revised second check notes post two court days prior to the hearing. Documents filed at least seven days prior to the hearing will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - no legal or procedural advice will be given.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **TRUSTS AND MOTIONS**

DATE: 09/28/17 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1700662

CASE NAME: MTR OF DONNA J ROATH TRUST

HEARING:

Petition for TO CONFIRM TRANSFER OF ASSETS TO REVOCABLE TRUST

COUNSEL:

DONNA J ROATH

(TRU)...

RODNEY M ROATH

(PET)...ALBREKTSON & SHUMATE, LLP

Currently under review by legal research

(LR)

NOTICE: Notice filed; however, need notice to Attorney General re portion goes to charity
Pr.C. § 17203(a)(3).

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 09/28/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600052

CASE NAME: HOMER N. SILACCI

HEARING: Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of STEVE COX

COUNSEL:

HOMER N SILACCI
STEVE COX

(CEE)...MITCHELL I ROTH
(PET)...FRANKLIN S ADLER

GENERAL INFORMATION

Continued from 04/27/17, 06/01/17 and 07/20/17. Court read and considered report of Counsel Roth. Conservator to file declaration re all aspects of the sale of Fontana property by 07/27/17. Declaration to include purchase contract, counter-offers, escrow instructions and closing statement. Steven cox and Franklin Alder to be present.

Continued from 08/24/17. Todd Nuccio appointed as 730 Expert [fee capped at \$750]. Parties to cooperate with investigation. Counsel to file declaration as to Conservator's knowledge of realtor who purchased property.

THIS CASE SET FOR HEARING ON Compliance Review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Steve Cox, friend, appointed conservator of the person and estate on 09/22/16, \$350,000 bond.
2. Determination of Conservatee's Appropriate Level of Care form filed 05/31/17.
3. Notification of Conservatee's rights filed 05/31/17 & 08/23/17.
4. Care Plan in accord with Pr.C.§2352.5 filed 08/23/17.
5. Final Inventory and Appraisal filed 08/23/17. However;
 - a. Real and personal property needs to be on attachment 2 and appraised by probate referee.
 - b. Bank account needs account number and bank statement to support.
 - c. Caption is incomplete as to date of appointment.
 - d. Bond amount is incorrect.
6. If the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - **no legal or procedural advice will be given.**

7. Declaration filed by Counsel Adler re sale of real property of conservatee on 07/27/17. **Need further declaration.**
8. **Need 730 evaluation.**
9. **Response filed by conservatee through counsel on 08/02/17.**

RECOMMENDATION

Need to clear notes 5-8.

(lc/ww/lc)

Future Hearing: 11/30/17 Accounting Review.

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/28/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700142

CASE NAME: MTR OF JOSE ALVINO MARTINEZ

HEARING:

Petition for Appointment of Conservator

COUNSEL:

AMBER JOHNSON (CPE)...PRO/PER
GOLDIE MARTINEZ (CPE)...PRO/PER
JOSE ALVINO MARTINEZ (CEP)...DUANE P BOOTH

GENERAL INFORMATION

Continued from 06/01/17 at request of Court to clear probate notes. Attorney Duane Booth is appointed counsel.

OSC set on 07/20/17 when there was no appearance by petitioners. Petitioner will be dismissed if no appearance.

Continued from 08/24/17. Court takes OSC re dismissal off calendar. Court vacated hearing on 08/24/17 and continued to 09/28/17.

THIS CASE SET FOR HEARING ON **OSC re Dismissal on** Petition for Appointment of Conservator person and estate by Amber Johnson (step-granddaughter) and Goldie Martinez (spouse)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests no bond due to small estate valued at \$12,992. Alternatively, does Court wish to require minimum bond of \$20,000? JTD
2. Petitioner seeks dementia powers. Report of Counsel Booth filed 07/06/17.
3. Petitioner seeks medical powers. Need Capacity Declaration with dementia attachment.
4. Section 6 is incomplete as proposed co-conservator, Goldie Martinez, is the legally separated spouse [Petition, 4/10/17, LF,pg7]. Need verified supplement.
5. Need Certificate of Completion of the Conservatorship Training Class.
6. Need Notice of Hearing and Proof of Service by mail as to Harmony Almansa, step-granddaughter.
7. Need return of Citation.
8. Court Investigator report filed 05/25/17.
9. No proposed form Order.

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - **no legal or procedural advice will be given.**

RECOMMENDATION

Need to clear notes 3-7. If approved, set hearing for Compliance Review for **05/03/18** for the filing of the required documents and hearing re Accounting Review for **12/06/18**. Any accounting to be filed 30 days in advance.

(lh/lc/lh/lc/lh)

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - **no legal or procedural advice will be given.**

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/28/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700251

CASE NAME: MTR OF ETHAN WAYNE CHAVEZ

HEARING:

Petition for Appointment of Conservator

COUNSEL:

CALEB L CHAVEZ	(CPE)...PRO/PER
ETHAN WAYNE CHAVEZ	(CEP)...
JENNIFER LYNNE CHAVEZ	(CPE)...PRO/PER
RONALD EDWARD CHAVEZ	(CPE)...PRO/PER

GENERAL INFORMATION

Continued from 08/10/17. Court will not require petitioners to refile as proposed conservatee will reach age of majority before next hearing date. Court does not require a report from IRC, and dispenses with further notice to IRC. Court reviews supplemental Information filed on 07/03/17 and does not require receipt of medical records mentioned in supplement. Court has received Certificate of Completion of Conservatorship Training for Jennifer Chavez, Caleb Chavez, and Ronald Chavez. Court clears probate note 15 as proposed conservatee was present in court this date. Parties state on the record they are not seeking estate powers, and Court allows petitioner to withdraw their request for estate powers.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator by Ronald, Jennifer and Caleb Chavez; parents and brother.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. As proposed conservatee is developmentally disabled and this is not a petition for Limited Conservatorship, Court may wish to appoint counsel and require report for proposed conservatee per Pr.C. §1470.
2. Question if petitioner is seeking medical powers as no additional powers are requested; Need verified supplement.
3. Capacity Declaration filed 08/21/17; however, form is incomplete at item 4b whether proposed conservatee is a patient, and form is not dated at either signature. Need completed form.
4. Need Notice of Hearing and Proof of Service.
5. Certificate of Completion of the Conservatorship Training Class filed.

Revised second check notes post two court days prior to the hearing. Documents filed at least seven days prior to the hearing will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - no legal or procedural advice will be given.

6. Court Investigator report filed 08/02/17.
7. ~Proposed Form Order: 07/03/17

RECOMMENDATION

Need to clear notes 2-4. If approved, set hearing for Compliance Review for **05/03/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5 (lh/lc/lh)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/28/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700302

CASE NAME: JASON BRIAN MOSLEY

HEARING:

Petition for Appointment of Conservator

COUNSEL:

BRIGIT MOSLEY (CP)...
JASON BRIAN MOSLEY (CTP)...
ODELL MOSLEY (CP)...

GENERAL INFORMATION

Ex parte orders granted 08/17/17. Brigit Mosley and Odell Mosley appointed Temporary Conservators of the person. No bond.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Brigit and Odell Mosley, parents

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner seeks medical powers. Capacity Declaration filed 08/10/17.
2. Confidential Screening form by 08/11/17 not in LF at time of review.
3. Need Court Investigator report.
4. Need Certificate of Completion of the Conservatorship Training Class from Brigit and Odell Mosley.
5. Need list of required contacts (Local form SB-12224).
6. Need return of citation.
7. Need notice of hearing and proof of service.
8. ~Proposed Form Order: 08/10/17

RECOMMENDATION

Need to clear notes 3-7. If approved, set hearing for Compliance Review for **05/03/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5
(lh)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/28/17 TIME: 9:30 DEPT: S35P

CASE#: RC RS00432

CASE NAME: ANASTACIA CORTEZ SIFUENTES

SEE ALSO 16A

HEARING:

Petition for TERMINATION OF CONSERVATORSHIP

COUNSEL:

ANASTACIA CORTEZ SIFUENTES

ROBERT SIFUENTES

ROY SIFUENTES

ROY SIFUENTES

(CEP)...MAUREEN MURATORE

(CPE)...ALTHOUSE & MCDONOUGH

(CPE)...LAYNE A BART HOLOMEW

(OBJ)...LAYNE A BART HOLOMEW

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Termination of Conservatorship by Robert Sifuentes, son.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner, Robert Sifuentes, Conservator, is seeking to terminate conservatorship as conservatee passed away on 01/11/17.
2. Petitioner states there are no assets. However, need a final waiver of accounting with report Pr.C. § 2628 Cal Rules of Ct 7.550. The court retains jurisdiction over the proceedings to settle the accounts of the conservator of the estate or to enforce the court's judgments and orders. Pr.C. § §2630; Cal Rules of Ct 7.1052(c).
3. Need notice of hearing and proof of service for relatives per Pr.C. § 1861(a)(3).
4. ~Proposed Order: 08/04/17.

RECOMMENDATION

Need notice then Court's discretion re termination. Accounting review is already set for the final accounting/waiver on **10/31/17**.

(lc)

Future Hearing: 10/31/17 *Accounting Review*.

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/28/17 TIME: 9:30 DEPT: S35P

CASE#: RC RS00432

CASE NAME: ANASTACIA CORTEZ SIFUENTES

SEE ALSO 16

HEARING:

Petition for PAYMENT OF ATTORNEY'S FEES TO COURT APPOINTED
COUNSEL

COUNSEL:

ANASTACIA CORTEZ SIFUENTES
ROBERT SIFUENTES
ROY SIFUENTES
ROY SIFUENTES

(CEP)...MAUREEN MURATORE
(CPE)...ALTHOUSE & MCDONOUGH
(CPE)...LAYNE A BART HOLOMEW
(OBJ)...LAYNE A BART HOLOMEW

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Attorney Fees by Maureen Muratore,
attorney for Anastacia Sifuentes, conservatee

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner Maureen Muratore was appointed counsel for conservatee on 04/15/03 to present.
2. Requested fees total \$16,693.75 for 71.15 hours at 200/\$225/\$250/\$300 per hour for attorney services. Itemized [Petition, 08/24/17, LFpgs5-29].
 - a. Need verified supplement with separate subtotals setting for number of hours charged at each different rate Per Local Rule 20-1402.
 - b. Fees include services from 2003 to January, 2017. Requests for fees must be made every two years; requests for fees in violation of this guideline will be denied absent a showing of good cause per Local Rule 20-1402. JTD.
3. Need Notice of Hearing and proof of mailed service.
4. Proposed Order 08/24/17 does not contain at least 3 lines of content per Local Rule 20-614(d).

RECOMMENDATION

Need to clear notes 2-3, then Court's discretion.

(lh)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/28/17 TIME: 9:30 DEPT: S35P

CASE#: SC SS00533

CASE NAME: SARAH CRITZER ET AL

HEARING: FOURTH REPORT OF CONSERVATOR WITH WAIVER OF Account and Report of GEORGE CRITZER and Petition for allowance of fees filed.

COUNSEL:

GEORGE CRITZER	(CPE)...EDWARD B FISCHER
GEORGE CRITZER	(FAT)...EDWARD B FISCHER
INLAND REGIONAL CENTER	(CP)...RENE
SAMANTHA CRITZER	(CEP)...
SAMANTHA CRITZER	(CTP)...HORSPOOL & PARKER
SARAH CRITZER	(CEP)...MELVIN L FRIEDLAND

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 4th Waiver of Account and Court Investigator fees Pr.C. §§ 2628, 1851.5, 1860.5(a)(2) by George Critzer, father.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting period 06/21/15 – 06/20/17.
2. It appears that co-Conservator Paula Critzer passed away; however, amended letters do not appear to have been submitted. Need amended letters.
3. Petitioner seeks accounting be waived based on estate qualifying under Pr.C. § 2628. Need actual assets on hand Cal Rules of Ct 7.550(b)(4).
4. Need notice of hearing and proof of service for Melvin Friedland.
5. Petitioner seeks waiver of Court Investigator fees per Pr.C. § 1851.5. JTD
6. Proposed order 08/15/17; however, need actual assets on hand.

RECOMMENDATION

Need to clear notes 2-4. If approved, set hearing on the next accounting review for **09/13/18** (if one year) or **09/12-19** (if two years). Accounting to be filed 30 days in advance.

(lc)

Fee waiver amount due \$911.00

\$355.00 for petition fees on 04/16/10

\$450.00 for CI fees on 04/16/10

\$53.00 for 2 cert copies of the letters (Sarah) on 06/21/10

\$53.00 for 2 cert copies of the letters (Samantha) on 06/21/10

Revised second check notes post two court days prior to the hearing. Documents filed at least seven days prior to the hearing will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - no legal or procedural advice will be given.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

MISC.

DATE: 09/28/17 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1400042

CASE NAME: Carolyn Jacobson

HEARING:

Hearing Re: Court Trial (4th day)

COUNSEL:

AJC TRUE GRIT LLC	()...
BAKER P.M.J.,L.P.	()...
CAROLYN JACOBSON	(DEC)...	
JONI JACOBSON	(TIMOTHY L MCCAN)...	
JULIE STEWART	(PET)...DUANE P BOOTH	
KATHERINE HALL	(PRO/PER	
PROJECT PROPERTY NUMBER FIVE,	()...
STATE OF CALIFORNIA FRANCHISE	(TP)...	

XREF: PROPS1300285, (Robert Lyle Lee) CIVBS1200309 (ACJ True Grit v Scott Martin etal)

Trial – No notes – JTD

Future Hearing: 09/29/17 Court Trial

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - **no legal or procedural advice will be given.**

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

DATE: 09/28/17 TIME: 8:30 DEPT: S36P

CASE#: MC MS00062

CASE NAME: IN THE MATTER OF ROY LEE PAYNE III

HEARING:

Readiness Calendar

COUNSEL:

JEANETTE PAYNE

(PET)...PRO/PER

ROY LEE PAYNE

(CTP)...MARK J. FLORY

Readiness – No notes – JTD

Future Hearing:

10/10/17 *Court Trial*

10/10/17 *OSC re: Removal of conservator/apt. successor*

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - **no legal or procedural advice will be given.**

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/28/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS0800924

CASE NAME: LELIA CARDONA

HEARING:
Hearing re Final Discharge

COUNSEL:

LELIA CARDONA	(DEC)...
LYDIA R CARDONA	(PET)...BRYAN C HARTNELL
PATRICIA ANNE CARDONA	(TP)...
PATRICIA CARDONA	(PET)...PRO/PER

GENERAL INFORMATION

Continued from 12/15/16, 02/09/17, 03/23/17, 06/22/17 and 08/03/17. Discharge is with client.

THIS CASE SET FOR HEARING ON Final Discharge.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Final account/distribution approved of Lydia Cardona on 10/14/15.
2. Need receipts from Patricia Cardona and Andrew Cardona for personal property items.
3. Need Ex Parte Petition for Final Discharge and Order with recording information per Pr.C.§11753(b).

RECOMMENDATION

Inquire status of receipts and order. When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with C.C.P. §§ 128 & 1209.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/28/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400012

CASE NAME: Joe Edward Bush

SEE ALSO 10

HEARING: Accounting Review

COUNSEL:

APPROVED INHERITANCE CASH, INC	(PRO/PER
CARMEN J QUALLS	()...
JOE EDWARD BUSH	(DEC)...
LYLE STOTELMYRE	(PET)...M DANIEL SAYLOR
REGINA D HOLT	(OBJ)...CARMEN
REGINA D HOLT	(PET)...
STANLEY FOREMAN	(APP)...HORSPPOOL & HORSPPOOL
STANLEY FOREMAN	(JOHN W SHORT
STANLEY FOREMAN	(PET)...HORSPPOOL & HORSPPOOL
STANLEY FOREMAN	(PET)...PRO/PER

CONDS1000220 (Joe Edward Bush) **XREF: PROPS1100186** (Mattie Weaver),
CONPS0800284(Mattie Weaver)

GENERAL INFORMATION

Continued from **05/18/17**. Additional time needed to provide accounting.

Continued from 08/03/17

THIS CASE SET FOR HEARING ON Accounting review/Status.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of **Special** Administration issued to **Regina Holt**, niece on 08/07/15 and **general letters Testamentary** issued 03/17/17; full authority, no bond. Remainder of funds are to remain in blocked account until it can be determined whether or not there are any outstanding creditors.
2. Inventory and Appraisal filed.
3. Need accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(lc/cs)

Revised second check notes post two court days prior to the hearing. Documents filed at least seven days prior to the hearing will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - no legal or procedural advice will be given.

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/28/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1501015

CASE NAME: WILLIAM BERNARD OFNER
HEARING: Petition for approval and payment of attorney's fees and costs
to Court appointed Guardian ad Litem

COUNSEL:

DANIEL CAUSEY (TP)...KENNETH L MORRIS
LINDA ATKINSON (PET)...JEFFREY S. COHEN
WILLIAM BERNARD OFNER (DEC)...

XREF: CONPS1500051 (*William Bernard Ofner*)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for fees and compensation

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 Petitioner, Mitchell Roth, was appointed guardian ad litem for Conservatee, William Bernard Ofner on 04/15/15. Petitioner alleges that services have been rendered for the benefit of conservatee from date of appointment until his death as guardian ad litem and as Special Litigation counsel for Administrator Linda Atkinson for which counsel has not been compensated for the period of 04/15/15 to 07/06/17.
- 2 Attorney requests fees of \$38,196.50 for 96.80 hours at \$395/hour for attorney time and \$449 in costs for a total of \$38,645.50. Itemized [Supp. filed 07/13/17 LFp.6-33].
- 3 Need Notice to Kenneth Morris attorney for Daniel Causey who requested special notice.
- 4 Petitioner requests a Court order directing Linda Atkinson, Administrator of the Estate to pay the fees and costs forthwith to the Law Offices of Mitchell I. Roth.
- 5 ~Proposed Order submitted: 07/07/17

RECOMMENDATION:

Need to clear note 3, then Court's discretion.

(cs)

Future Hearing:

10/05/17 Hearing re: OSC re: Dismissal

10/05/17 *Accounting Review.*

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - **no legal or procedural advice will be given.**

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/28/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600144

CASE NAME: MTR OF JESSIE L ELLIGET

HEARING:

Probate status report filed.

COUNSEL:

DAVID C NICHOLSON (PET)...ANTHONY J. VULIN
JESSIE L ELLIGET (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status Report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters Testamentary issued to David Nicholson, friend, on 04/05/16; full authority, no bond.
2. Need final Inventory and Appraisal. See next note.
3. Petitioner seeks an additional year to close the estate in order to finish marshaling assets, prepare the Inventory and Appraisal and accounting.
4. ~Proposed Order: 06/16/17.

RECOMMENDATION

Court's discretion. If approved, set Accounting/Status Review for **10/04/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/28/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600534

CASE NAME: MTR OF DALE LITTLE

HEARING:
Accounting Review

COUNSEL:
CRIAG M PARKER (TP)...CRAIG M PARKER
DALE LITTLE (DEC)...
DAVID C LITTLE (PET)...TREVOR

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of Administration issued to David C. Little, son, on 08/15/16; **limited** authority, \$20,000 bond.
2. Partial/Final Inventory and Appraisal filed 03/21/17.
3. Need accounting or status report.

RECOMMENDATION

Inquire status of accounting.
(cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/28/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601258

CASE NAME: JAKE VELASQUEZ SPECIAL NEEDS TRUST

HEARING:

Petition for REQUESTING AUTHORITY TO PURCHASE A HOME

COUNSEL:

RACHEL VELASQUEZ	(PET)...BALABAN & SPIELBERGER,
ROBERT SCHNIEDERS	(PET)...RODNUSKY & ASSOCIATES
THE JAKE VELASQUEZ SPECIAL NEE	(TRU)...RODNUSKY & ASSOCIATES

XREF: CIVDS15005163 (Velasquez vs General Motors)

Currently under review by legal research

(LR)

NOTICE: 30 days' notice filed on 08/25/17.

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/28/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700724

CASE NAME: MTR OF ALEXANDER MORALES QUIROZ

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority
under IAEA.

COUNSEL:

ALEXANDER MORALES QUIROZ
KATHLEEN A QUIROZ WEST

(DEC)...
(PET)...CHRISTOPHER A SHUMATE

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Kathleen Quiroz West, daughter

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All heirs waive bond. Net estate value \$439,981.00 with \$9,891.00 in personal property. The court may for good cause require that a bond be given, either before or after issuance of letters. (Prob. Code, § 8481(c).)
2. ~Proposed Form Order:07/21/17

RECOMMENDATION

RFA. Court's discretion re bond. If approved, set Accounting/Status Review for **12/06/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/28/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700755

CASE NAME: MTR OF BETTY YVONNE SIMONS

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With
Full Authority Under IAEA..

COUNSEL:

BETTY YVONNE SIMONS (DEC)...
LESLIE A FRUGIUELE (PET)...JEFFREY L COTTRELL

X-REF: CONPS1600285 (Betty Yvonne Simons)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Leslie Frugieule, daughter

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond. Estate value consists of \$292,048.00 with \$32,048.00 in personal property. The court may for good cause require that a bond be given, either before or after issuance of letters. (Prob. Code, § 8481(c).)
2. Duties and liabilities filed; however, the telephone number for the proposed personal representative is missing. Need same.
3. Notice of Related case filed 09/05/17.
4. ~Proposed Form Order: 07/26/17

RECOMMENDATION

RFA subject to note 2, Court's discretion re bond If approved, set Accounting/Status Review for **12/06/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **TRUSTS AND MOTIONS**

DATE: 09/28/17 TIME: 8:35 DEPT: S36P

CASE#: PRO PS1400012

CASE NAME: Joe Edward Bush

SEE ALSO 3

HEARING: Motion Re: TO BE RELIEVED AS COUNSEL Filed by Petitioner
CARMEN J QUALLS

COUNSEL:

APPROVED INHERITANCE CASH, INC	(PRO/PER
CARMEN J QUALLS	()...
JOE EDWARD BUSH	(DEC)...
LYLE STOTELMYRE	(PET)...M DANIEL SAYLOR
REGINA D HOLT	(OBJ)...CARMEN
REGINA D HOLT	(PET)...
STANLEY FOREMAN	(APP)...HORSPOOL & HORSPOOL
STANLEY FOREMAN	(JOHN W SHORT
STANLEY FOREMAN	(PET)...HORSPOOL & HORSPOOL
STANLEY FOREMAN	(PET)...PRO/PER

CONDS1000220 (Joe Edward Bush) **XREF: PROPS1100186** (Mattie Weaver),
CONPS0800284(Mattie Weaver)

GENERAL INFORMATION

Continued from 08/03/17

THIS CASE SET FOR HEARING ON Motion to be Relieved as Counsel by Carmen Qualls.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner, Carmen Qualls, seeks to be removed as counsel for Regina Holt. Petitioner alleges there is an irreparable breakdown between attorney and client. Petitioner alleges no other matters are pending; however, an accounting has not been filed yet for Regina Holt. **See matter 14.**
2. **Need proof of service on attorney Daniel Saylor for Lyle Stotelmyre who requested special notice; attorney John W. Short; and attorney Karin Horspool.**
3. Notice of intent to appear telephonically filed 07/26/17.

Revised second check notes post two court days prior to the hearing. Documents filed at least seven days prior to the hearing will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - no legal or procedural advice will be given.

4. No proposed order.

RECOMMENDATION

Need to clear note 2, then Court's discretion.

(lc/cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/28/17 TIME: 8:35 DEPT: S36P

CASE#: PRO PS1600334

CASE NAME: R NEWBERRY SPECIAL NEEDS TRUST

HEARING:

Petition for SUBMITTED JUDGMENT TO EXECUTE SPECIAL NEEDS
TRUST

COUNSEL:

R NEWBERRY SPECIAL NEEDS TRUST (TRU)...
ROBERT LEE NEWBERRY II (PET)...DIANA J CARLONI

No notes – JTD

(LR)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

DATE: 09/28/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS0700004

CASE NAME: FRANCESWALL BROOKS

HEARING:

Hearing Re: STATUS (CI REPORT RCVD 05/30/17)

COUNSEL:

FRANCESWALL BROOKS	(CTP)...
JASMINE WASHINGTON	(CP)...PRO/PER
KATHLEEN WASHINGTON	(CP)...PRO/PER

GENERAL INFORMATION

Continued from 07/20/17 Referred to CI for investigation and report.

THIS CASE SET FOR HEARING ON Status re Court Investigator report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter set after review of Court Investigator report filed 05/30/17. Melvin Friedland appointed counsel.
2. Report of Counsel Friedland filed on 07/12/17.
3. Need CI Report.

RECOMMENDATION

Need CI Report, then Court's discretion.

(lc/cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/28/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS0800208

CASE NAME: MTR OF MARIE C SPANGLER

HEARING:
Accounting Review

COUNSEL:

BRYAN C HARTNELL	(PET)...BRYAN C HARTNELL
LINDA SPANGLER	(PET)...JAMES B CHURCH
MARIE C SPANGLER	(CEP)...HARTNELL LAW GROUP
PATRICIA A SPANGLER, PHD	(OBJ)...PRO/PER

GENERAL INFORMATION:

Continued from 07/27/17 to file accounting.

THIS CASE SET FOR HEARING ON Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. 6th Account for Linda Spangler, daughter, approved on 05/04/17. Conservatee ***passed away*** on 03/26/17.
2. Need 7th and Final Account beginning with 10/16/16.

RECOMMENDATION

Inquire status of accounting.

(lc/cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/28/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS0900044

CASE NAME: ROGER DURHAM

HEARING:
Accounting Review

COUNSEL:

AVALEE COHEN	(CPE)...BRYAN C HARTNELL
AVALEE COHEN	(CPE)...DENNIS M SANDOVAL
AVALEE COHEN	(TP)...BRYAN C HARTNELL
ROGER DURHAM	(CEP). SHERRI L KASTILAHN
SHERRI L KASTILAHN	(PET)...SHERRI L KASTILAHN

GENERAL INFORMATION

Continued from 06/15/17 and 07/27/17.

THIS CASE SET FOR HEARING ON Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. 3rd Account of Avalee Cohen, niece, approved on 12/22/15.
2. Need 4th Account beginning with 04/04/15.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/28/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600260

CASE NAME: MTR OF GREGORY SCOTT C WRIGHT

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of LEONA D GOEBEL

COUNSEL:

GREGORY SCOTT C WRIGHT (CTP)...CRAIG M PARKER
LEONA D GOEBEL (CP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Leona Goebel, mother appointed **limited** conservator of the person only on 12/19/16. Corrected letters reissued on 08/07/17; however, letters do not state limited conservatorship. Need corrected letters.
2. Notification of Conservatee's rights per Pr.C.§1830(c), Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan in accord with Pr.C.§2352.5 filed 08/07/17.

RECOMMENDATION

None.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/28/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600356
CASE NAME: MTR OF HANNAH LEA COOPER
HEARING: Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of MONICA HOPE COOPER

COUNSEL:

HANNAH LEA COOPER	(CTP)...SHERRI L KASTILAHN
INLAND REGIONAL CENTER	(TP)...PRO/PER
MARK LEE COOPER	(CP)...PRO/PER
MONICA HOPE COOPER	(CP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Monica and Mark Cooper, parents appointed conservators of the person only on 02/23/17. Order indicates successor conservatorship; however, it does not appear to be successor. Court may wish to require corrected order. JTD
2. Notification of Conservatee's rights per Pr.C.§1830(c) filed 03/07/17 and 03/17/17.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan in accord with Pr.C.§2352.5 filed 04/25/17.

RECOMMENDATION

Court's discretion re note 1.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 09/28/17 TIME: 9:30 DEPT: S36P

CASE#: SC SS01254

CASE NAME: IN THE MATTER OF ALLEN RHAJIVE CARABALLO

SEE ALSO 18, 19

HEARING:

Hearing Re: FIRST CURRENT Account and Report OF EDUARDO Y GONZ

COUNSEL:

ALLEN RAHJIVE CARABALLO	(CEP)...MITCHELL I ROTH
ALLEN RAJHIVE CARABALLO	(CEP)...HORSPOOL & H ORSPOOL
AMERICAN CONTRACTORS INDEMNITY (TP)	...LANAK & HANNA
ANNETTE G DEBELLEFEUILLE	(PET)...ANNETTE G
ARDIS ENRIGHT	(CPE)...PRO/PER
EDUARDO Y GONZALEZ LOPEZ	(CPE)...PRO/PER
RON OLUND	(CE)...J. DAVID HORSPOOL
VERLENE CAMERON	(CPE)...JOHN D MICKUS
VERLENE CAMERON	(PCR)...VICTOR CLARK COHEN

See notes on matter 19.

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/28/17 TIME: 9:30 DEPT: S36P

CASE#: SC SS01254

CASE NAME: IN THE MATTER OF ALLEN RHAJIVE CARABALLO

SEE ALSO 17, 19

HEARING: Petition for CONSERVATORSHIP FEES

COUNSEL:

ALLEN RAHJIVE CARABALLO	(CEP)...MITCHELL I ROTH
ALLEN RAJHIVE CARABALLO	(CEP)...HORSPPOOL & H ORSPOOL
AMERICAN CONTRACTORS INDEMNITY	(TP)...LANAK & HANNA
ANNETTE G DEBELLEFEUILLE	(PET)...ANNETTE G
ARDIS ENRIGHT	(CPE)...PRO/PER
EDUARDO Y GONZALEZ LOPEZ	(CPE)...PRO/PER
RON OLUND	(CE)...J. DAVID HORSPPOOL
VERLENE CAMERON	(CPE)...JOHN D MICKUS
VERLENE CAMERON	(PCR)...VICTOR CLARK COHEN

GENERAL INFORMATION

Hearing advanced from 05/01/17.

Continued from 05/18/17 and 07/27/17.

THIS CASE SET FOR HEARING ON Petition for Conservatorship Fees by Eduardo Gonzalez Lopez, cousin.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner seeks conservatorship fees of \$75,000 in payments of \$4,000 per month. Itemization appears to be \$119,313 for 954.5 hours at \$125 per hour with additional costs. Itemization is miniscule without zoom feature in LF. Question how petitioner is qualified to receive a PPF rate? Need verified supplement.
2. Petition is not verified per Pr.C. § 1021. Need same.
3. Need notice of hearing and proof of service.
4. Estate does not appear to be able to pay fees.
5. No proposed order.

RECOMMENDATION

Need to clear notes 1-3.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/28/17 TIME: 9:30 DEPT: S36P

CASE#: SC SS01254

CASE NAME: IN THE MATTER OF ALLEN RHAJIVE CARABALLO

SEE ALSO 17, 18

HEARING: AMENDED FIRST AND CURRENT Account and Report of EDUARDO Y GONZALEZ LOPEZ and Petition for allowance of fees filed.

COUNSEL:

ALLEN RAHJIVE CARABALLO	(CEP)...MITCHELL I ROTH
ALLEN RAJHIVE CARABALLO	(CEP)...HORSPPOOL & H ORSPOOL
AMERICAN CONTRACTORS INDEMNITY (TP)	...LANAK & HANNA
ANNETTE G DEBELLEFEUILLE	(PET)...ANNETTE G
ARDIS ENRIGHT	(CPE)...PRO/PER
EDUARDO Y GONZALEZ LOPEZ	(CPE)...PRO/PER
RON OLUND	(CE)...J. DAVID HORSPPOOL
VERLENE CAMERON	(CPE)...JOHN D MICKUS
VERLENE CAMERON	(PCR)...VICTOR CLARK COHEN

GENERAL INFORMATION:

Continued from 03/15/17, 03/30/17 and 05/18/17. Counsel for conservatee would like time to discuss with his client whether or not he is objecting to accounting.

Continued from 07/27/17. Eduardo Gonzalez Lopez to file a post move notice within 48 hours. Conservator fees will not be approved until the accountings match, nor in the amount of \$125.

THIS CASE IS SET FOR HEARING ON **Amended [02/10/17]** First Account Current and Petition for Fees by Successor Conservator of the Estate, Eduardo Gonzalez Lopez.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting period 08/01/15 to 09/30/16.
2. Assets on Hand \$19,938.77 consisting of \$8,938.77 in cash and remaining in 2005 Chevrolet Impala and household furnishings.
3. Beginning balance on hand does not match distributions from prior Conservator Verlene Cameron, and the ending balance/remaining assets of the 3rd and final account of prior Conservator. **Need amended accounting or reconciliation.**
4. Attorney requests fees of \$3,167.78 for 20.1 hours at \$100/200 per hour for paralegal and attorney services. Itemized [Acct. 02/10 LFPg42-27].
 - a. **Need qualifications that comply with CRC 7.703(e).**

- b. Billing includes postage that is considered overhead totaling \$11.78. Does Court wish to reduce fee request by this amount? JTD.
5. Petitioner indicates he has not had the opportunity to complete a detailed report of all hours expended on behalf of the conservatee and will submit a detailed report with his itemization and hours for the Second Accounting.
6. Petition indicates the Conservatee has written a bad check; misuses his bank card; frequently incurs overdraft charges; has taken a title loan on his vehicle in efforts to acquire more cash; and Conservatee's incursions have been happening throughout Petitioner's tenure. Petitioner indicates he has had no effective method of eliminating this problem. Petitioner indicates a major problem for the conservatee continues to be money management.
7. Current bond at \$305,000.00. Petitioner requests a reduction of bond to \$134,000. Ok.
8. **Response filed by conservatee through Counsel Roth on 03/01/17.**
9. **Response to conservatee's response filed by Eduardo Gonzalez Lopez on 03/14/17 and 07/13/17.**
10. Proposed Order: 02/10/17; however, 3 lines of content must appear above judge's signature.

RECOMMENDATION:

Need to clear notes 3-4. If approved, set hearing on the next accounting review for **02/01/18** (if one year) or **01/31/19** (if two years). Accounting to be filed 30 days in advance.

(/lc)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District - Civil

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

Readiness Calendar

DATE: 09/28/17 TIME: 8:29 DEPT: S37P

CASE#: CIV DS1600795

CASE NAME: TAPIA VS RAMIREZ

HEARING:

Readiness Calendar

COUNSEL:

ELAINE TAPIA

(PLA)...SALLY ANNE COX

RICHARD RAMIREZ

(DEF)...PRO/PER

XREF: PROPS1400857 (Petra Amador Ramirez)

Readiness – No notes – JTD

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/28/17 TIME: 8:29 DEPT: S37P

CASE#: CIV DS1610559

CASE NAME: RICHARD RAMIREZ -V- ELAINE TAPIA, ET AL

HEARING:
Readiness Calendar

COUNSEL:

ALEX RAMIREZ	()...
ELAINE TAPIA	(DEF)...	
ESTHER ARCHULETA	()...
JESSE RAMIREZ	()...
PATRICIA RAMIREZ	()...
RICHARD RAMIREZ	(PLA)...	PRO/PER
RUBY MACIAS	()...
RUDY RAMIREZ	()...
VALERIE RAMIREZ	()...

XREF: PROPS1400857 (Petra Amador Ramirez)

Readiness – No notes – JTD

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/28/17 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1400857

CASE NAME: Petra Amador Ramirez

SEE ALSO 4

HEARING: Probate status report filed.

COUNSEL:

ELAINE TAPIA	(PET)...	SALLY ANNE COX
PETRA AMADOR RAMIREZ	(DEC)...	
RICHARD RAMIREZ	(OBJ)...	PRO/PER

XREF: CIVDS1610559 (*Richard Ramirez v Elaine Tapia etal*), **CIVDS1600795** (*Tapia Vs Ramirez*)

GENERAL INFORMATION:

Continued from **11/21/16**. Matter set to trail CIVDS1610559 and CIVDS1600795.

Continued from **02/27/17**. Richard Ramirez advises court a motion for summary judgment was filed on related case CIVDS1610559 and is set for 05/16/17. This matter will be continued to be heard on that date. Notice waived.

Continued from 05/16/17 Discovery underway. Estimated length of trial 4-6 days

THIS CASE IS SET FOR HEARING ON Status Report (filed 09/07/16).

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges the estate is not in a condition to be closed as there are numerous civil complaints being litigated that are preventing this administration from closing.
2. Petitioner does not specify the additional time in which to close the estate. Suggest 12 months.
3. Need Notice of Hearing and proof of service in accord with Pr.C. § 12201. Whenever a status report is filed without an accounting, notice must indicate a right to an accounting in accord with Pr.C. § 10950. **This form of notice is mandatory.**
4. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Require notice. If approved, set next Accounting Review for **09/27/18**. Note requirements of local rule 20-908.

(nb/cs)

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - **no legal or procedural advice will be given.**

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/28/17 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1400857

CASE NAME: Petra Amador Ramirez

SEE ALSO 3

HEARING:
Trial Setting Conference

COUNSEL:

ELAINE TAPIA	(PET)...	SALLY ANNE COX
PETRA AMADOR RAMIREZ	(DEC)...	
RICHARD RAMIREZ	(OBJ)...	PRO/PER

XREF: CIVDS1610559 (*Richard Ramirez v Elaine Tapia etal*), **CIVDS1600795** (*Tapia Vs Ramirez*)

TSC – No notes – JTD

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 09/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300467

CASE NAME: THE JANE GILL THOMPSON SEPARATE PROPERTY TRUST

HEARING:

Hearing Re: Status on completion of CPA report

COUNSEL:

EMORY D'AQUILA

(RES)...DAVID LIVINGSTONE TAUB

MILES THOMPSON

(PET)...PRO/PER

OSCAR EMMETT THOMPSON

(PET)...JACK B OSBORN

THE JANE GILL THOMPSON SEPARA

(TRU)...

Status – No notes – JTD

Future Hearing: 11/16/17 *Accounting Review.*

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300469
CASE NAME: CHRISTOPHER E. PETERSON
HEARING: FIRST Account and Report of WARREN SEITZ and Petition for allowance of fees filed.

COUNSEL:

CHRISTOPHER E. PETERSON (DEC)...
WARREN SEITZ (PET)...BROCK, MARTIN & VOORHEES, PC

XREF: GARSS1300151 (*Logan Peterson - daughter*)

GENERAL INFORMATION

Continued from 04/13/17. Fee requests and reserve request approved; mileage denied. Billing rate questioned and portion of accounting to be redone.

Continued from 07/13/17.

THIS CASE SET FOR HEARING ON 1st and Final Account, Distribution and Petition for Allowance of Fees and extraordinary fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner and attorney request statutory fees of \$14,453.51 each. Ok.
2. Counsel requests extraordinary fees of \$13,893 for 49.50 hours at \$115/325 per hour. Itemized [Acct.02/02 LFpg28-34]. Ok.
3. Petitioner requests extraordinary fees of \$37,064.09 at \$175 per hour. Itemized; hours not totaled [Acct.02/02 LFpg36-52]. Court to determine if rate is reasonable.
4. Petitioner withdraws mileage request.
5. Petitioner requests a reserve of \$108,000 for taxes due to decedent failing to file from 2006-2011. Ok.
6. No actions were taken on Creditor's Claims and the 90 day rejection period has passed.
7. No proposed order; submit after hearing.

RECOMMENDATION

RFA subject to Court's discretion re fees. If approved, set hearing on the filing of receipts and final discharge for **10/04/18**.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400479

CASE NAME: Richard Edson Holdaway
HEARING: Petition for COMPLAINT FOR DAMAGES ON REJECTED CLAIM

COUNSEL:

PATRICIA C EVERETT	(PET)...BRYAN C HARTNELL
RICHARD EDSON HOLDAWAY	(DEC)...
RICHARD EVERETT HOLDAWAY	(PET)...DIANE E ROBBINS

GENERAL INFORMATION

Continued from 08/10/17. Need services and costs itemized.

THIS CASE SET FOR HEARING ON Petition for Complaint for Damages on Rejected Claim Pr.C. § 9354 by Patricia Everett, creditor.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters Testamentary issued to Richard Holdaway, son, on 10/06/16. Prior to executor's appointment, petitioner Patricia Everett filed a Creditor's Claim for \$90,875 (prior competing petitioner) on 06/11/14. Decedent died on 06/13/14. Executor Richard rejected claim 3 years later on 03/10/17. The statute begins to run again once the personal representative rejects the claim Pr.C. § 9353.
2. Petitioner alleges that prior to decedent's death, petitioner provided services, provided loans, incurred in home expenses on behalf of decedent etc. totaling \$90,875. Petitioner attaches promissory notes for \$8,000, \$10,000 in 1997, \$3,000 in 2012 was paid to petitioner by decedent. There is no itemization of services of \$24,000, expenses of \$17,675 or alleged personal property of \$24,000 mentioned in petition [Pet. 05/19 LFpg4]. Need verified supplement for the following.
 - a. Question how petitioner derived the alleged balance owed re personal property and services?
 - b. Additionally, as the loans were from 1997, question how no payments allegedly made until 2012? Petitioner alleges the \$3,000 repayment was never cashed. However, there does not appear to be proof other than a copy of a back of check that is illegible [Pet. 05/19 LFpg10].
 - c. The \$4,200 loan does not appear to be clear.
3. Acknowledgment of Receipt of Summons filed 08/10/17.
4. Petitioner seeks reimbursement of attorney's fees and costs related to petition.
5. No proposed order. Submit after hearing.

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - **no legal or procedural advice will be given.**

RECOMMENDATION

Need to clear note 2.

(lc)

Future Hearing: 12/13/17 *Accounting Review*.

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - **no legal or procedural advice will be given.**

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501108

CASE NAME: SANDY AMBROSE JONES

HEARING:

Zero Value Account and Report of CAROL L JONES and Petition for allowance of fees filed.

COUNSEL:

CAROL L JONES (PET)... FELIX M MART
SANDY AMBROSE JONES (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account on Zero Asset Estate and Petition for Discharge by Carol Jones, spouse.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner states that the probate was opened in order to settle a wrongful death suit [CL15-2754 in Virginia Beach] and the matter has settled. No assets came into the estate.
2. Settlement attached [Acct. 07/07 LFpg12 et. seq].
3. Caption of petition seeks discharge; however, prayer does not request same. Need verified supplement.
4. ~Proposed Order: 07/07/17.

RECOMMENDATION

Need to clear note 3. If approved, set hearing on the filing of receipts and final discharge for **10/04/18**.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600319

CASE NAME: ESATE OF GILDA JOAN DONCHE

HEARING:

Probate status report filed.

COUNSEL:

BRUCE BRAZEAU	(PET)...	ROBERT G PETROVICH
GILDA JOAN DONCHE	(DEC)...	
STATE OF CALIFORNIA FRANCHISE	()...
VICTIM COMPE NSATION AND GOVER	(TP)...	

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status Report (filed 06/30/17).

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges the estate is not in a condition to be closed as two parcels of real property are in the process of being listed and sold.
2. Petitioner requests an additional 6 months to close the estate.
3. Partial Inventory and Appraisal filed
4. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Court's discretion. If approved, set next Accounting Review for **03/29/18**. Note requirements of local rule 20-908.

(cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600479

CASE NAME: MTR OF NORMA LEE BOYNE

HEARING:
Accounting Review

COUNSEL:
LARRY BOYNE (PET)...A STEPHEN RAMADAN
NORMA MAE BOYNE (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of Administration issued to Larry Boyne, son, on 10/31/16; full authority, no bond.
2. Need accounting or status report.

RECOMMENDATION

Inquire status
(cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600481

CASE NAME: MTR OF DORA G GREENE

HEARING:
Accounting Review

COUNSEL:
DORA G GREENE (DEC)...
KARL SMITH (PET)...CARLA D ALLEN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of Administration issued to Karl Smith, son, on 07/21/16; full authority, \$145,000.00 bond.
2. Need accounting or status report.

RECOMMENDATION

Inquire status
(cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700508

CASE NAME: MTR MINNIE WIELENGA

HEARING:
Hearing Re: RECEIPT OF BOND

COUNSEL:

MINNIE WIELENGA (DEC)...
ROBERT JAY WIELENGA (PET)...PRO/PER

GENERAL INFORMATION

Matter set on 08/10/17 for receipt of bond in the amount of \$234,000.00

THIS CASE SET FOR HEARING ON Bond Review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Robert Jay Wielenga, son, appointed administrators on 08/10/17, full authority, \$234,000 bond.
2. Need bond in order for letters to issue.

RECOMMENDATION

Inquire status.

(cs)

Future Hearing: 10/18/18 *Accounting Review*.

Superior Court of Calif, County of San Bernardino

Page: 13

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700509

CASE NAME: ENRIQUE A MUNIZ

HEARING:

Hearing Re: RECEIPT OF BOND

COUNSEL:

ENRIQUE A MUNIZ (DEC)...
HECTOR MUNIZ (PET)...PRO/PER

GENERAL INFORMATION

Matter set on 08/10/17

THIS CASE SET FOR HEARING ON Receipt of Bond

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Hector Muniz, son, appointed administrator on 08/10/17, full authority, \$25,000 bond.
2. Need bond in order for letters to issue.

RECOMMENDATION

Inquire status.

(cs)

Future Hearing:

10/18/18 *Accounting Review.*

Superior Court of Calif, County of San Bernardino

Page: 14

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700667

CASE NAME: MTR OF MYRNA A CAAMPUED

HEARING:

Spousal Property Petition hearing.

COUNSEL:

JOSE PROTACIO I CAAMPUED
MYRNA A CAAMPUED

(PET)...TIMOTHY J O'CONNOR
(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Spousal Property Petition by Jose Caampued.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner, Jose Caampued, seeks court determine that property left by decedent with will as supporting documentation.
2. ~Proposed Form Order: 08/01/17.

RECOMMENDATION

RFA.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700669

CASE NAME: JOSEPH JAY JOHNSON

HEARING:

Petition for LETTERS TESTAMENTARY WITH FULL IAEA

COUNSEL:

JOSEPH JAY JOHNSON (DEC)...
MAUREEN D GALVIN (PET)...JOHN F WEBER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Maureen D. Galvin, daughter/executor

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond. Net estate value consists of \$53,000.00 with \$3,000.00 in real property. The court may for good cause require that a bond be given, either before or after issuance of letters. Prob. Code, § 8481(c).
2. Will names Maureen Dee Galvin Lloyd to serve as executor. Court to clarify if petitioner, Maureen D. Galvin is same person. JTD
3. Section 8 of petition does not list an address for Michael J. Johnson. Need verified supplement.
4. ~Proposed Form Order: 07/03/17

RECOMMENDATION

RFA subject to notes 2 and 3, Court's discretion re bond. If approved, set Accounting/Status Review for **12/06/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AND MOTIONS

DATE: 09/28/17 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1600490

CASE NAME: MTR OF ANDREW AND GLADYS MORROW TRUST

HEARING:

Petition for HEGGSTAD FILED BY LINDA F. WRIGHT-SANDERS

COUNSEL:

ANDREW MORROW SR AND GLADYS MO

(TRU)...

EDWARD MORROW

(PET)... BRIAN CULLEN

HOWARD MORROW

(PET)...PRO/PER

LINDA F WRIGHT-SANDERS

(OBJ)...MARK STEPHEN S

XREF: UDFS1501472 (Morrow v Morrow)

Currently under review by legal research

(LR)

Continued matter. Notice not re-reviewed.

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 09/28/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS0600081

CASE NAME: CARELLA ELLEN JEAN FRY

HEARING:

Accounting Review

COUNSEL:

ANDREW B LOVSTED

(PET)...BEBERMAN STO FFEL &

CAREELA ELLEN JEAN FRY

(TRU)...

CARELLA ELLEN JEAN FRY

(CEP)...

INLAND COUNTIES REGIONAL CENTE

(PET)...STEVEN K BECKETT

INLAND COUNTIES REGIONAL CENTE

(SC)...STEVEN K BECKETT

INLAND COUNTIES REGIONAL CENTE

(TEE)...STEVEN K BECKETT

JUDITH L LOVSTED

(PET)...BEBERMAN STO FFEL &

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. 7th Account for Inland Counties Regional Center, approved on 09/24/15.
2. Need 8th Account beginning with 05/01/15.

RECOMMENDATION

Inquire status of accounting.

(cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/28/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700029

CASE NAME: CARLOS M MARTINEZ

HEARING:
Petition for Appointment of Conservator

COUNSEL:
CARLOS M MARTINEZ (CTP)...MITCHELL I ROTH
MARLA A VARGAS (CP)...PRO/PER

GENERAL INFORMATION

Continued from 03/09/17. Mitchell Roth appointed Counsel. IRC to prepare report.
Continued from **05/25/17**.

Continued from 08/03/17. Marla Vargas ordered to be present at next hearing. Notice to be given by Mitchell Roth.

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Marla Vargas, mother.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner seeks powers re habilitation, treatment, training, medical etc. Authority to fix residence, access confidential records, control right to contract per Pr. C. §2351.5. JTD
2. Petitioner seeks civil rights not be limited without court order. JTD
3. Proposed conservatee is developmentally disabled. IRC report filed 03/21/17.
4. Petitioner seeks medical powers. Capacity Declaration filed 02/16/17. However, the document is not dated, name and address of physician is incomplete, section 5 re ability to attend is incomplete, and form not dated at signatures. Need same.
5. Confidential Screening Form filed 01/26/17 is incomplete at item 3 re nomination of proposed conservator. Need completed form.
6. List of Required Contact Information filed 01/26/17 is incomplete as to first and second degree relatives named in petition. Need completed form.
7. Proposed conservatee is developmentally disabled. Report of Counsel Roth filed 05/02/17.
8. Court Investigator report filed 03/01/17.
9. Certificate of Completion of the Conservatorship Training Class shown in court.
10. Citation returned served.

Revised second check notes post two court days prior to the hearing. Documents filed at least seven days prior to the hearing will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - no legal or procedural advice will be given.

11. ~Proposed Form Order: 01/26/17

RECOMMENDATION

Need to clear notes 4-6. If approved, set hearing for Compliance Review for **05/03/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lh/lc/lh/lc/lh)

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - **no legal or procedural advice will be given.**

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/28/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700277

CASE NAME: JESUS ANTONIO MARTINEZ

HEARING:
PROBATE/CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

ANITA MARTINEZ	(PET)...PRO/PER
JESUS ANTONIO MARTINEZ	(CEE)...CHRISTOPHER A POULOS
SALVADOR MARTINEZ	(PET)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Conservatorship Management Conference

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Anita Martinez, mother, appointed limited conservator of person only on 02/07/11 by Superior Court of Los Angeles County.
2. Matter was transferred from Los Angeles County Court on 06/15/17 as the conservatee resides and intends to continue to reside in Hesperia, CA, San Bernardino County.
3. Court Investigator report last filed 12/19/16.
4. Does Court wish to request an IRC report?
5. Need Post-Move Change of Address with proof of service.
6. Need amended Letters to reflect this county.

RECOMMENDATION

Need to clear notes 5-6.

(lh)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/28/17 TIME: 9:30 DEPT: S37P

CASE#: SC SS02839

CASE NAME: MTR RE DANIEL P MADRID

HEARING:
Accounting Review

COUNSEL:

AMERICAN CON TRACTORS IND EMNI	()...
CHRISTINA ERICKSON-TAUBE	(CPE)...ALEX R BORDEN
DANIEL P MADRID	(CEP)...EDWARD B FISCHER &
EDWARD B. FISCHER	(PET)...EDWARD B FISCHER &
ESMERALDA MADRID	(CE)...
MELODIE Z SCOTT	(CPE)...KARIN HORSPOOL
MELODIE Z SCOTT	(TP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. 7^h Account for Christina Erickson-Taube, approved on 05/09/17.
2. Need 8th Account beginning with 08/01/16 – current.

RECOMMENDATION

Inquire status of accounting.

(cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/28/17 TIME: 1:30 DEPT: S37P

CASE#: CON PS1100062

CASE NAME: *MF* LORIANNE M. DURAN.

SEE ALSO 22

HEARING:

Hearing Re: TRUSTEE OF SPECIAL NEEDS TRUST

COUNSEL:

ADAN JOHN M.D.	(MCNEIL, TROPP & BRAUN LLP
DESERT VALLEY HOSPITAL	(MCNEIL, TROPP & BRAUN LLP
DESERT VALLEY HOSPITAL	(QUINTAROS, PRIETO, WOOD &
DOUGLAS ZIPRICK MD	(MCNEIL TROPP & BRAUN LLP
ESTHER DURAN	(CPE)...PRO/PER
GARY DURAN	()...
JANET DURAN	(PET)...BANKS GARCIA & JANIS
JANET DURAN	(PLA)...KAMPF SCHIAVONE & ASSOC
JENNIFER M DANIEL	(PET)...JENNIFER M DANIEL
JOHN ADAN MD	(MCNEIL TROPP & BRAUN LLP
LORIANNE DURAN	(PET)...KAMPF SCHIAVONE &
LORIANNE M. DURAN	(CEE)...JENNIFER M DANIEL
LORIANNE M. DURAN	(PET)...JEANNE E KENNEDY
RICHARD DURAN	()...
RONALD DURAN	()...
STEVEN DURAN	(CP)...DAVID E FOATE
STEVEN DURAN	(PET)...HORSPOOL & HORSPOOL

XREF: PROPS1300446 (Esther Duran)

Currently under review by legal research

(LR)

Continued matter. Notice not re-reviewed.

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/28/17 TIME: 1:30 DEPT: S37P

CASE#: CON PS1100062

CASE NAME: *MF* LORIANNE M. DURAN.

SEE ALSO 21

HEARING:

Hearing Re: MSC/TRC

COUNSEL:

ADAN JOHN M.D.	(MCNEIL, TROPP & BRAUN LLP
DESERT VALLEY HOSPITAL	(MCNEIL, TROPP & BRAUN LLP
DESERT VALLEY HOSPITAL	(QUINTAROS, PRIETO, WOOD &
DOUGLAS ZIPRICK MD	(MCNEIL TROPP & BRAUN LLP
ESTHER DURAN	(CPE)...PRO/PER
GARY DURAN	()...
JANET DURAN	(PET)...BANKS GARCIA & JANIS
JANET DURAN	(PLA)...KAMPF SCHIAVONE & ASSOC
JENNIFER M DANIEL	(PET)...JENNIFER M DANIEL
JOHN ADAN MD	(MCNEIL TROPP & BRAUN LLP
LORIANNE DURAN	(PET)...KAMPF SCHIAVONE &
LORIANNE M. DURAN	(CEE)...JENNIFER M DANIEL
LORIANNE M. DURAN	(PET)...JEANNE E KENNEDY
RICHARD DURAN	()...
RONALD DURAN	()...
STEVEN DURAN	(CP)...DAVID E FOATE
STEVEN DURAN	(PET)...HORSPOOL & HORSPOOL

XREF: PROPS1300446 (Esther Duran)

M.S.C./TRC – No notes – JTD

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/28/17 TIME: 1:30 DEPT: S37P

CASE#: PRO PS1300446

CASE NAME: ESTHER DURAN

SEE ALSO 24, 25

HEARING:

Hearing Re: PTN FOR ORDER DETERMINING TITLE AND REQUESTING ETC

COUNSEL:

ESTHER DURAN	(DEC)...
JANET DURAN	(PET)...BANKS GARCIA & JANIS
LORIANNE M DURAN	(PET)...PRO/PER
STEVEN DURAN	(PET)...HORSPOOL & HORSPOOL
TOYOTA MOTOR CREDIT CORP	(TP)...SCOTT WELTMAN

XREF: CONPS1100062 (*Lorianne Duran*)

GENERAL INFORMATION:

Continued from 8/5/13, 8/6/13, 8/23/16, 4/30/14, 8/21/14, 11/14/14, 11/25/14, 2/11/15, 6/25/15, 11/19/15, 12/2/15, 4/4/16, 8/18/16, 08/22/16, 02/14/17, 03/16/17, 05/25/17 and 08/10/17. Ms. Michealis's report to be filed.

THIS CASE IS SET FOR HEARING ON Petition to Determine Title of real and personal property and a finding of a Breach of Fiduciary Duty and Elder Abuse

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner, Steven Duran, was appointed Special Administrator \$100,00 bond. Petitioner is one of six children and a beneficiary of the decedent's estate. Decedent died 2/11/13. Petitioner alleges that at all times described in the petition, the decedent was an "elder" as described in W&I§15610.27.
2. Petitioner alleges that the decedent held title to bank accounts containing proceeds from winnings and a settlement) and to 6 parcels of real property and that prior to her death, decedent was hospitalized for unknown reasons and on 7/29/12 decedent executed a Durable Power of Attorney, naming daughter, Janet Duran, as attorney in fact. Copy of POA attached (see LF pages 29-36).
3. Petitioner alleges that on 2/12/13 (one day after decedent's death) respondent, Janet Duran, through her power of attorney, recorded six Grant Deeds transferring the real property to decedent and her as joint tenants, and then on 5/10/13, Janet

Revised second check notes post two court days prior to the hearing. Documents filed at least seven days prior to the hearing will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - no legal or procedural advice will be given.

Duran filed Affidavit of Death of Joint Tenant on each parcel. Copies of Deeds and Affidavits attached (see LF pages 37-58). Petitioner refers to the text of the POA that informs the agent that the property may not be transferred without adequate consideration. As the POA is terminated at death, it would appear that the Grant Deeds have created a cloud on title as they transfer title to a deceased person with a terminated POA.

4. Petitioner requests the property be transferred back to the estate. However, as the Grant Deeds were recorded after date of death of decedent creating a cloud on title, Court may wish to find the Grant Deeds and Affidavits of Joint Tenant as void.
5. Petitioner requests the Court find that Janet Duran exceeded her scope of authority, acted in bad faith, breached her fiduciary duty, and under Pr.C.§859 should be held liable for twice the value of the property in an amount to be determined.
6. Petitioner requests the Court find that prior to decedent's death, Janet Duran, fraudulently misappropriated funds from decedent's accounts, and under W&I§15657.5 for financial elder abuse be held liable for treble damages, punitive damages, prejudgment interest and costs.
7. **Need notice of hearing and proof of service. It does not appear notice has ever been filed in this matter. Does court wish to deem as served as hearing has continued since 2013? JTD**
8. Order on Stipulation to void and cancel four grant deeds approved on 01/15/14.
9. **Need report of Ms. Michealis.**

RECOMMENDATION:

Need report, then Court's discretion re notice. Court may wish to set for evidentiary hearing.

(sa/lc/nb/lc/dl/lc/sa/nb/lc)

Superior Court of Calif, County of San Bernardino

Page: 24

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/28/17 TIME: 1:30 DEPT: S37P

CASE#: PRO PS1300446

CASE NAME: ESTHER DURAN

SEE ALSO 23, 25

HEARING:

Hearing Re: MSC/TRC

COUNSEL:

ESTHER DURAN	(DEC)...
JANET DURAN	(PET)...BANKS GARCIA & JANIS
LORIANNE M DURAN	(PET)...PRO/PER
STEVEN DURAN	(PET)...HORSPOOL & HORSPOOL
TOYOTA MOTOR CREDIT CORP	(TP)...SCOTT WELTMAN

XREF: CONPS1100062 (*Lorianne Duran*)

M.S.C./TRC – No notes – JTD

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/28/17 TIME: 1:30 DEPT: S37P

CASE#: PRO PS1300446
CASE NAME: ESTHER DURAN

SEE ALSO 23, 24

HEARING: Hearing Re: PTN FOR PROBATE OF WILL AND LTS TESTAMENTARY

COUNSEL:

ESTHER DURAN	(DEC)...
JANET DURAN	(PET)...BANKS GARCIA & JANIS
LORIANNE M DURAN	(PET)...PRO/PER
STEVEN DURAN	(PET)...HORSPOOL & HORSPOOL
TOYOTA MOTOR CREDIT CORP	(TP)...SCOTT WELTMAN

XREF: CONPS1100062 (*Lorianne Duran*)

GENERAL INFORMATION:

Order appointing Steven Duran as Special Administrator entered 06/03/13, \$100,000 bond required (see prior matter).

Continued from **7/11/13** and **8/22/13**.

On **8/6/13** Court denied an Ex-parte order on Motion to Set Aside Order filed by Janet Duran. Need order.

Continued from **8/26/13, 12/16/13, 1/9/14, 4/30/14 and 8/21/14**. New trial dates set.

Continued from 11/25/14, 2/11/15, 2/11/15, 6/25/15, 11/19/15, 12/2/15, 3/30/16, 04/04/16 08/22/16 02/14/17, 03/16/17, 05/25/17 and 08/10/17.

THIS CASE IS SET FOR HEARING ON

- Petition for Letters Testamentary with full authority under IAEA, by **Steven Duran**, son.
- Petition for Letters Testamentary with full authority under IAEA, by **Janet Duran**, daughter.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

Petition by Steven Duran - son:

1. Petitioner, Steven Duran, requests admission of decedent's Will dated 7/6/93 only.
2. Petitioner is the third nominated executor. Will dated 7/6/93 nominates first Manuel Duran (now deceased) and second Janet Duran. Petitioner believes Janet Duran should not be appointed. Objections and competing petition filed by Janet Duran.
3. Will waives bond as to nominated executors. However, Court required \$100,000 bond for Special Administrator. JTD

Revised second check notes post two court days prior to the hearing. Documents filed at least seven days prior to the hearing will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - no legal or procedural advice will be given.

4. Objection filed by Janet Duran.

5. Notice of Lis Pendens filed by Steven Duran on 03/30/15.

Petition by Janet Duran – daughter – second named executor:

6. Petitioner, Janet Duran, requests admission of decedent's Will dated 7/6/93 and holographic codicils dated 11/12/06 and 1/29/09.

7. Will waives bond. Notwithstanding the waiver of bond by a will, the Court has in its discretion to require bond (Pr.C.§8481). Estimated estate value is \$14,200. JTD

8. Decedent's will nominates Janet Duran as executor and the codicil of 1/29/09 restates/reconfirms the nomination.

9. **Objection to appointment and admission of purported codicils filed by Steven Duran.**

10. Settlement purportedly reached at MSC held on 12/06/13. Court to clarify if stipulation reflects order signed 01/15/14.

RECOMMENDATION:

Matter is contested. It appears Janet Duran has priority of appointment.

Court to determine bond. If approved, set hearing for Accounting/Status Review on **12/06/18**. Any accounting to be filed 30 days in advance. Note Local Rule requirements.

(sa/nb/gls/nb/lc/nb/lc/sa/dl/lc/sa/nb/lh/lc)